

REMARKS

Claims 1-5 are pending and under consideration.

In the Office Action of May 22, 2007, claims 1-5 were rejected. The matters raised in the Office Action are addressed next in the order raised in the Office Action.

INFORMATION DISCLOSURE STATEMENT

The error in the IDS submission is noted. Applicants are concurrently submitting and information disclosure statement including a copy of Japanese Patent Application H08-222219, cited in the specification, which was the intended reference, as well as a form .

CLAIM REJECTIONS - 35 USC 112

The error in the claims is noted. The claims were inadvertently amended to recite LiAlO_x rather than LiAlO_2 . Nevertheless, the matter is moot. Without conceding the rejections in view of the prior art, and reserving the right to pursue claims of this scope in a continuation application, the claims have been amended to recite that the inorganic compound of the coating layers comprises a compound oxide of at least one selected from the group of LiFePO_4 and Li_3PO_4 .

CLAIM REJECTIONS - 35 USC 102

Claims, presumably claims 1 and 5, were rejected as anticipated by Ooya (US 2002/0127473). The rejection is traversed.

In that regard, the claims have been amended, without prejudice to pursuing claims of the original scope in a continuation, to recite that the inorganic compound of the coating layers comprises a compound oxide of at least one selected from the group of LiFePO_4 and Li_3PO_4 . Ooya nowhere fairly teaches or suggest use of such an inorganic compound.

In contrast, at best, Ooya only discloses use of inorganic coating materials comprising oxides not containing phosphor. See Table 1, under the heading “kind” for the adhered particles.

Since the recited inorganic coating materials are not fairly taught or suggested in the cited art, it is submitted that claims 1-5 are patentable over the cited art.

CLAIM REJECTION 35 USC 102/103

Claims 3 and 4 were rejected as anticipated by or, in the alternative, as obvious over Ooya.

Again, Ooya fails to fairly teach or suggest the phosphor containing inorganic coating material and thus Ooya fails to fairly teach or suggest the subject matters of claims 3 and 4, which depend from claim 1.

Since the recited inorganic coating materials are not fairly taught or suggested in the cited art, it is submitted that claims 3 and 4 are patentable over the cited art.

Claim 2 was rejected as anticipated by[sic] or, in the alternative, as obvious over Ooya and Howard (US Pub. No. 2002/0141937).

Again, Ooya fails to fairly teach or suggest the phosphor containing inorganic coating material of claim 1 and thus Ooya fails to fairly teach or suggest the subject matter of claim 2, which depends from claim 1. Howard similarly does not fairly teach or suggest the phosphor containing coating material. Accordingly, the subject matter of claim 2 is not fairly taught or suggested by Ooya or Howard or any combination of them.

Since the recited inorganic coating materials are not fairly taught or suggested in the cited art, it is submitted that claim 2 is patentable over the cited art.

In view of the foregoing, it is submitted that the application is in condition for allowance. Notice to that effect is requested.

Respectfully submitted,

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